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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-562*

13 **PATRICIA A. EDMUNDSON, a.k.a.**
14 **PATRICIA A. GOODWIN, a.k.a.**
15 **PATRICIA ANN GOODWIN**
16 **918 Harpeth Trace Drive**
17 **Nashville, TN 37221**

A C C U S A T I O N

18 **Registered Nurse License No. 608902**

19 Respondent.

20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
23 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
24 Consumer Affairs.

25 2. On or about November 6, 2002, the Board of Registered Nursing issued Registered
26 Nurse License Number 608902 to Patricia A. Edmundson, also known as Patricia A. Goodwin,
27 also known as Patricia Ann Goodwin (Respondent). The Registered Nurse License expired on
28 December 31, 2003, and has not been renewed.

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4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. California Code of Regulations, title 16, section 1419.3, provides that a licensee may renew a license that has been expired for more than eight years by paying the renewal and penalty fees specified in Section 1417 and providing evidence that he or she holds a current valid active and clear registered nurse license in another state, a United States territory, or Canada, or by passing the Board's current examination for licensure.

7. Section 118, subdivision (b), of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

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“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

1 “(a) Unprofessional conduct, which includes, but is not limited to, the following:

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3 “(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
4 against a health care professional license or certificate by another state or territory of the United
5 States, by any other government agency, or by another California health care professional
6 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
7 action.”

8 CONTROLLED SUBSTANCES/DANGEROUS DRUGS

9 9. Code section 4021 states:

10 “‘Controlled substance’ means any substance listed in Chapter 2 (commencing with Section
11 11053) of Division 10 of the Health and Safety Code.”

12 10. Code section 4022 provides:

13 “‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self-use in
14 humans or animals, and includes the following:

15 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without
16 prescription,’ ‘Rx only’ or words of similar import.

17 “(b) Any device that bears the statement: ‘Caution: federal law restricts this device to sale
18 by or on the order of a _____,’ ‘Rx only,’ or words of similar import . . .

19 “(c) Any other drug or device that by federal or state law can be lawfully dispensed
20 only on prescription or furnished pursuant to Section 4006.”

21 11. Fentanyl is a Schedule II controlled substance as designated by Health and Safety
22 Code section 11055, subdivision (c)(8), and a dangerous drug pursuant to Code section 4022. It
23 is a strong analgesic, pharmacodynamically similar to Meperidine and Morphine. It is used
24 preoperatively, during surgery and in the immediate postoperative period. Among other
25 applications, the drug may be used in the management of breakthrough cancer pain.

26 COST RECOVERY

27 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
28 administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
3 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
4 included in a stipulated settlement.

5 CAUSE FOR DISCIPLINE

6 (Unprofessional Conduct – Out of State Discipline)
7 (Bus. & Prof. Code § 2761, subd. (a)(4))

8 13. Respondent has subjected her registered nurse license to disciplinary action under
9 Code section 2761, subdivision (a)(4), in that on or about December 29, 2008, in a disciplinary
10 action before the Tennessee Board of Nursing (“Tennessee Board”), the Tennessee Board
11 approved a Consent Order in Case No. 2006017441, placing Respondent’s Tennessee nursing
12 license on probation until she successfully completed the Massachusetts Board of Registration in
13 Nursing’s (“Massachusetts Board”) Substance Abuse Rehabilitation Program (“SARP”). SARP
14 is a diversion-type program in that nurses who enter into and successfully complete the program
15 avoid any disciplinary action by the Massachusetts Board. As a condition of her probation with
16 the Tennessee Board, Respondent was to comply with, and abide at all times by, the terms of her
17 contract with SARP. A violation of the Tennessee Board’s Order would constitute a separate
18 violation of the Tennessee Code and would provide grounds for further disciplinary action. The
19 Tennessee Board made the following findings of fact in their Consent Order:

20 14. On or about April 4, 2006, Respondent was terminated from her employment at
21 Vanderbilt University Medical Center for diverting narcotics. As a result, Respondent sought the
22 assistance of the Tennessee Professional Assistance Program (“TnPAP”). Upon TnPAP’s
23 recommendation, Respondent completed a 21 day in-patient treatment program on or about May
24 27, 2006. On or about May 31, 2006, Respondent signed a 36 month monitoring contract with
25 TnPAP.

26 15. On or about December 2, 2006, while working in the Intensive Care Unit at
27 University Medical Center in Lebanon, Tennessee, Respondent was reported by a patient’s family
28 member, and subsequently observed by hospital staff, as slurring her speech, having poor

1 concentration, and falling asleep while on duty. Respondent admitted that she diverted Fentanyl
2 from the facility. Respondent self-reported her relapse to TnPAP and entered an intensive
3 outpatient treatment program, which she completed on or about January 22, 2007. TnPAP then
4 authorized Respondent to work at Manchester Medical Center in Manchester, Tennessee.

5 16. In or about April 2007, Respondent returned to Rhode Island for personal reasons.
6 Because Respondent was residing on the Massachusetts-Rhode Island border and because she
7 held a Massachusetts nursing license, the Massachusetts Board allowed her to enter into a
8 treatment contract with SARP. On or about May 1, 2007, Respondent signed a 5 year contract
9 with SARP, effective May 25, 2007. Her relationship with TnPAP was terminated at that time,
10 although Respondent was in full compliance with TnPAP's requirements. Pursuant to her
11 treatment contract with SARP, Respondent agreed not to practice nursing for one year, after
12 which time she would practice only in a non-patient care setting or in a setting not involving
13 direct patient care. SARP also required Respondent to attend 12 step meetings, undergo therapy,
14 attend recovery support group meetings for professionals, and submit to random drug screens.

15 17. The Tennessee Board's Consent Order also found that on or about May 31, 2002,
16 Respondent pled guilty to a Class B misdemeanor offense of Driving While Impaired in the
17 Davidson County Circuit Court. Respondent failed to report this conviction to the Tennessee
18 Board within 30 days and failed to report it on her 2003 license renewal form.

19 PRAYER

20 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
21 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

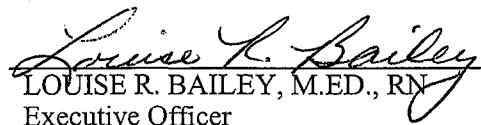
22 1. Revoking or suspending Registered Nurse License Number 608902, issued to Patricia
23 A. Edmundson, also known as Patricia A. Goodwin, also known as Patricia Ann Goodwin;

24 2. Ordering Patricia A. Edmundson, also known as Patricia A. Goodwin, also known as
25 Patricia Ann Goodwin to pay the Board of Registered Nursing the reasonable costs of the
26 investigation and enforcement of this case, pursuant to Business and Professions Code section
27 125.3; and
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3. Taking such other and further action as deemed necessary and proper.

DATED: JANUARY 18, 2013


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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